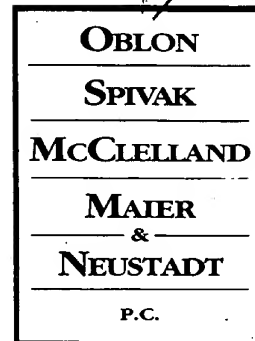




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TECH CENTER 1600/2900



Docket No.: 0010-1108-0 CONT

ASSISTANT COMMISSIONER OF PATENTS
WASHINGTON, D.C. 20231

ATTORNEYS AT LAW

RE: Application Serial No. 09/577,005
Applicant(s): Yoko ASAKURA et al
Filing Date: May 25, 2000
For: METHOD OF CONSTRUCTING AMINO ACID PRODUCING BACTERIAL
STRAINS, AND METHOD OF PREPARING AMINO ACIDS BY FERMENTATION
WITH THE CONSTRUCTED AMINO ACID PRODUCING BACTERIAL STRAINS
Group: 1652
Examiner: RAMIREZ

SIR:

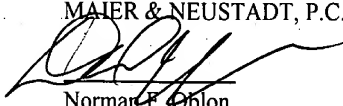
Attached hereto for filing are the following papers:

--PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181(a)
w/Copies of Date-Stamped Filing Receipt, Continued Prosecution Application Transmittal; and Request
for Extension of time filed on June 14, 2002

Our check in the amount of \$ ___ is attached covering any required fees. In the event any variance exists
between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any
fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents
timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not
considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A
duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon
Registration No. 24,618
Attorney of Record

Daniel J. Pereira, Ph.D.
Registration No. 45,518



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0010-1108-0CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

#13

IN RE APPLICATION OF:

Yoko ASAKURA ET AL

: GROUP ART UNIT: 1652

SERIAL NO. 09/577,005

FILED: MAY 25, 2000

: EXAMINER: RAMIREZ

FOR: METHOD OF CONSTRUCTING AMINO ACID PRODUCING BACTERIAL STRAINS, AND METHOD OF PREPARING AMINO ACIDS BY FERMENTATION WITH THE CONSTRUCTED AMINO ACID PRODUCING BACTERIAL STRAINS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R.

1.181(a)

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Notice of Abandonment mailed September 24, 2002,

Petitioners respectfully request that the holding of abandonment be withdrawn as improper.

The facts of this case are as follows.

The Office indicates that the application is abandoned for failure to reply to the Office Action of December 14, 2001.

On June 14, 2002, a Continued Prosecution Application and a request for a three month extension of time was filed along with the appropriate fees. Petitioners submit the following in support:

- (1) A copy of the Continued Prosecution Application Request Transmittal filed on June 14, 2002.

- (2) A copy of the Request for Extension of Time.
- (3) A copy of the date-stamped filing receipt that clearly demonstrates that these two Requests; and the check for \$1,660.00 was filed on June 14, 2002.

Petitioners submit that the Continued Prosecution Application request filed on June 14, 2002 fulfilled the requirements under 37 C.F.R. 1.53(d) and that the present application was filed on May 25, 2000 and therefore is a utility application filed before May 29, 2000, which is required by 37 C.F.R. 1.53(d)(1)(i).

In view of the foregoing, this petition should be GRANTED, and this application should be returned to active status.

Respectfully submitted

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Daniel J. Pereira, Ph.D.
Registration No.: 45,518



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Facsimile: 703-413-2220



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Dept.: CHEMICAL

By: NFO-DJP:jot

OSMM&N File No. 0010-1108-0 CONT

Serial No. 09/577,005

In the matter of the Application of: Yoko ASAKURA et al.

For: METHOD OF CONSTRUCTING AMINO ACID PRODUCING BACTERIAL STRAINS, AND METHOD OF PREPARING AMINO ACIDS BY FERMENTATION WITH THE CONSTRUCTED AMINO ACID PRODUCING BACTERIAL STRAINS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ pp. Specification Claims/Formal Drawings Sheets
- and pages Application Data Sheet
- ☐ Combined Declaration, Petition & Power of Attorney pages
- ☐ List of Inventor Names and Addresses
- ☐ Utility Patent Application Transmittal ☒ CPA
- ☐ Notice of Priority ☐ Priority Doc
- ☒ Check for \$1,660.00 ☒ Dep. Acct. Order Form
- ☐ Fee Transmittal Form
- ☐ Assignment/PTO 1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Formal Drawings sheets ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☐ Information Disclosure Statement ☐ PTO-1449
- ☐ Cited References
- ☐ Search Report
- ☐ Statement of Relevancy
- ☐ IDS/Related/List of Related Cases
- ☐ Restriction Response ☐ Cited Pending Applications
- ☐ Rule 132 Declaration ☐ Election Response
- ☒ Request for Extension of Time (three months)
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☐ White Advance Serial Number Card
- ☐ Small Entity Status is Claimed
- ☐

Due Date: June 14, 2002

